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EXAMINER

TRAN, THUY V

ART UNIT PAPER NUMBER

2821

DATE MAILED: 11/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/914,050

Applicant(s)

SEKIYA, MITSUNOBU

Examiner

THUY V. TRAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 02 September 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

This is a reply to the Applicant's amendment received on September 2nd, 2003. In this amendment, claim 2 is cancelled; and thus, claims 1 and 3-8 are now presented in the instant application.

Substitute Drawings

1. The drawing sheet of Fig. 6 received on September 2nd, 2003 is approved.

Amended Abstract

2. The amended abstract of the disclosure received on September 2nd, 2003 is accepted.

Claims Objections/ Minor Informalities

3. Claims 1, 3-4, and 6 are objected to because of the following informalities:

Claim 1, line 8, "are" should be --is--;

Claim 3, line 2, "are" should be --is--;

Claim 4, line 2, "are" should be --is--; and --the-- should be inserted between "over" and "at";

Claim 6, line 2, "2" should be --1--; and

Claim 6, line 3, "are" should be --is--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 3-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seiichi (JP-2000-221529) in view of Hisato et al. (JP-09106887).

With respect to claim 1, Seiichi discloses, in Figs. 1-3, a display device in which (1) plural rows of scanning lines and plural columns of signal lines are arranged, and (2) pixels [15A, ..., 15C] are arranged at portions where the scanning lines intersect the signal lines. Seiichi further teaches that (i) the pixels have a liquid crystal layer [17] held between first pixel electrodes [16] constituted by the scanning lines and second pixel electrodes [14A, ..., 14C] connected to the signal lines, and (ii) the second pixel electrodes [14A, ..., 14C] are overlapped on the scanning lines in a direction in which the scanning lines are extending and each of the second pixel electrodes is arranged over three neighboring signal lines (or at least two neighboring signal lines, as claimed). Seiichi does not teach an organic electro-luminescence layer.

Hisato et al. discloses, in Fig. 4, the employment of an organic electroluminescence layer *(an organic light emission layer is sequentially formed between electrode [12, made of 13a, 14a, 13b, 14b] and an opposite electrode, inclusive of an organic light emitting layer held between first pixel electrodes [13a, 13c, 13e] constituted by the scanning lines and second pixel electrodes [13b, 13d, 13f] connected to the signal lines).*

Since the display device of Seiichi can employ both liquid crystal and electro-luminescence material (see translation, page 6, lines 1-15), to replace the crystal layer in the display device of Seiichi with an organic electro-luminescence layer as taught by Hisato et al. for a display illumination purpose would have been deemed obvious to a person skilled in the display art.

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With respect to claim 3, Figs. 1-3 of Seiichi show that each of the second pixel electrodes is arranged over two neighboring scanning lines among the scanning lines.

With respect to claim 4, Figs. 1-3 of Seiichi show that a portion of the second pixel electrodes is arranged over the at least two neighboring scanning lines among the scanning lines.

With respect to claim 5, Figs. 1-3 of Seiichi show that the signal lines are divided into plural lines in a direction in which they extend.

With respect to claim 6, Figs. 1-3 of Seiichi show that each of the second pixel electrodes is connected to one of the at least two neighboring scanning lines.

With respect to claim 7, Figs. 1-3 of Seiichi show that the signal lines are divided into plural lines in a direction in which they extend.

With respect to claim 8, Figs. 1-3 of Seiichi show that the signal lines are divided into plural lines in a direction in which they extend.

Remarks and conclusion

6. Applicant's arguments, see Applicant's Amendment at pages 20-21, filed 09/02/2003, with respect to the rejections of claims 1-8 under Hisato et al. have been fully considered but are moot in view of the new ground(s) of rejection.

With respect to the Applicant's arguments on amended claims 1, 3, 4, and 6 at pages 20-21, the Examiner acknowledges that the cited prior art to Hisato et al. does not teach or fairly suggest that each of the second pixel electrodes or a portion of the second electrodes is arranged over at least two neighboring signal lines. However, the combination of the teachings of prior art of record Seiichi and Hisato et al. completely disclose these claimed limitations. Therefore,

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claims 1 and 3-8 are rejected over the combined teachings of Seiichi and Hisato et al. (see 103(a) rejections set forth in this Office Action).

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY V. TRAN whose telephone number is (703) 305-0012. The examiner can normally be reached on M-F (8:30 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DON K. WONG can be reached on (703) 308-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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Thuy Vinh Tran
October 27th, 2003


Don Wong
Supervisory Patent Examiner
Technology Center 2800